



Specialty Breaker Business
General Electric Company
6901 Elmwood Avenue, Philadelphia, PA 19142-1897
215 726-2626

To: **Mr. Kenneth J. Cox, 3HW100**
United States Environmental Protection Agency
Region III
841 Chestnut Street
Philadelphia, PA. 19107

April 11, 1996

From: **Michael R. Fairley, EHS Manager**
General Electric Company
Philadelphia Operation
6901 Elmwood Avenue
Philadelphia, PA. 19142

Re: **Response to RCRA Compliance Evaluation Inspection Findings**

Dear **Mr. Kenneth J. Cox:**

In response to the letter from your associate, Mr. Christopher Pilla (Chief RCRA Enforcement Branch), received by me on March 25, 1996, I would like to reply to the five "violations and discrepancies" noted:

1) The 55 gallon drum that was found "open and unattended" in the < 90 storage area was in fact left open by the attendant, who had walked away, a distance of 30 feet, to assist a co-worker loading another drum on to a pallet. The process took approximately two minutes, whereupon the attendant returned to the drum, to continue work. The point I would like to make is that this is a very unusual action for the HAZMAT trained attendant to do. He is highly trained in this area, and is aware of the fact that the drum lid must be placed back on the drum, whenever he is not actively engaged in filling the drum. It is not standard practice for this employee, or any other GE employee, to leave hazardous materials without a proper lid or cover. This was in fact, a rare oversight. The employee was immediately acutely aware of his mistake, and is very unlikely to make a mistake of this kind again. As you remember, he immediately apologized to you and me for his oversight, as he takes his duties very seriously.

2) A crack was noted in the concrete sidewall of the depressed driveway where drums are stored for shipment. This is our < 90 hazardous waste storage area, where, in April of 1995, we poured ten inches of fresh concrete, at a cost of \$16,000, over an already existing base of 10 inch solid concrete, to upgrade the level of containment in this area. The crack you noted was from the settling of the concrete and has now been sealed with concrete-compatible-epoxy. The area will be inspected on a weekly basis for any further concrete settling cracks.

3) The inconsistencies cited in the report supplied by Clean Harbors Environmental Services, Inc., regarded the incomplete listing of our active waste profiles with Clean Harbors. Pursuant to Clean Harbors response letter dated February 2, 1996, you will note that as Profile #U49615 (for paint solids) expired on October 31, 1995, I utilized a new Profile #U12789, for shipment of paint wastes. A complete review of all my manifests shows that I did not ship any material under profile #U49615, after it's expiration date. The reason the #U12789 active profile was not included in the Clean Harbors report of active waste profiles, is that it is not unique to the Philadelphia Operation plant. It is in fact a generic profile that is utilized by several GE sites in the region that produce a standard variety of paints and thinner waste from painting processes. It was an oversight on the part of the Clean Harbor's technician generating the report not to include active generic profiles utilized by the Philadelphia Operation. Clean Harbors has GE Corporate approval to remove, transport and dispose of hazardous waste from GE facilities. Clean Harbors is the prime vendor for removal of all hazardous wastes from Philadelphia Operations.

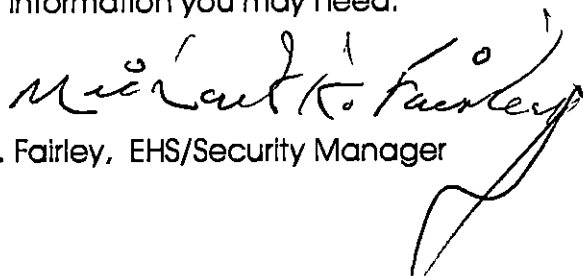
4) Job descriptions of persons generating or handling hazardous waste were not complete. I have now updated the job descriptions of our painters who generate hazardous waste (waste paints and thinners) in accordance with 40 CFR 265.16. The annual RCRA training is presently scheduled for May 1996, for all affected employees.

5) I have updated the emergency coordinators list in accordance with 40 CFR 265.52(d). The need for the updating of the list was due to plant wide layoffs.

I would like to thank you and your associate, Ronald Jones (Environmental Protection Specialist) for your kind assistance during the Evaluation Inspection. I found your advise, direction and interpretation of the regulations extremely helpful in such areas as: hazardous waste storage areas at point of generation, pouring-off operations, recordkeeping, training, and suggested improvements to my hazardous waste storage areas, as well as making sure that I was in compliance in all areas according to the regulations. I found your evaluation inspection to be just that: a professional and helpful process whereby government officials assist industry in assuring successful compliance. Additionally, the information you sent concerning reference for Pollution Prevention / Waste Minimization was very helpful in providing ideas with which to expand my own Pollution Prevention Program.

Thank you for your assistance and please feel free to contact me for any additional information you may need.

Sincerely,



Michael R. Fairley, EHS/Security Manager



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION III

841 Chestnut Building

Philadelphia, Pennsylvania 19107-4431

MAR 21 1996

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Michael R. Farley, Manager
Environmental Health and Safety
G.E. Philadelphia Operations
6901 Elmwood Avenue
Philadelphia, PA. 19142

Dear Mr. Farley:

The U.S. Environmental Protection Agency (EPA) conducted a Compliance Evaluation Inspection (CEI) at the Philadelphia Operations facility on January 30, 1996. Enclosed is a copy of the inspection report.

The Office of the Resource Conservation and Recovery Act (RCRA) Programs has reviewed the findings of the inspection with respect to the rules and regulations set forth in the Code of Federal Regulations (CFR), Title 40, Parts 260 through 299 and Pennsylvania Code, Title 25, Chapters 260 through 270 which govern the handling and management of Solid and Hazardous Wastes. The following violations and discrepancies were noted:

1. A 55 gallon drum was left open and unattended in the <90 day storage area (40 CFR 265.173(a)),
2. A crack was found in the sidewall of the depressed driveway where drums are stored for shipment,
3. There were inconsistencies cited in the records supplied by Clean Harbors,
4. Training records did not contain the required job descriptions and training requirements (40 CFR 265.16), and
5. The emergency coordinators list needs to be updated (40 CFR 265.52(d))

EPA requests that you review the enclosed inspection report and respond to the deficiencies noted above and to the conditions and/or concerns contrary to the RCRA requirements identified at the time of the inspection. Please submit a written response to EPA within thirty (30) calendar days of receipt of this letter to:

Kenneth J. Cox 3HW100
Environmental Protection Agency
841 Chestnut Street
Philadelphia, PA 19107

Along with a copy of the inspection report I am enclosing a list of EPA publications that you may find of use in your ongoing Pollution Prevention /Waste Minimization efforts. If you have any questions or comments, please contact Ken Cox by phone at (215) 597-6413 or by FAX at (215) 597-8174.

Sincerely,



Christopher Pilla, Chief
RCRA Enforcement Branch

Enclosures

cc: Nancy Roncetti (PADEP) w/enclosure
Kenneth J. Cox 3HW100 w/o enclosure
File w/enclosure ✓

ENFORCEMENT CONFIDENTIAL

The follow up action for this inspection was determined to be a letter instead of an NOV. The basis for that determination was that:

1. I was one of the inspectors and observed the nature and extent of the violations.
2. The unattended open drum was being filled with dried paint bucket scrapings when the worker went to another part of the room to help someone lifting a drum. The drum was not really left unattended and the nature of the waste was not volatile.
3. The crack in the sidewall of the driveway was so far up the ramp that leaks would never rise to that level.
4. The inconsistencies in the records were explained by the facility contractor after the inspection and were not really errors.
5. The training records were maintained and showed that the training had been completed. The job descriptions and training required were not part of the records but apparently do exist at other locations.
6. The Contingency Plan was not up to date because there was a large layoff the week before and some of the contact names on the plan were no longer there. New duties had not yet been assigned to the remaining staff.

For the above reasons I believe that a NOV would be inappropriate.

Kenneth J. Co